

Appendix 2A: Dispersal of Funds

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EUROPA MARITIME S.A.,

08 Civ. 9523 (DAB)

Plaintiff,

-against-

CONSENT ORDER

MANGANESE TRANS ATLANTIC CORPORATION;
MANAGERS SYSTEMAR CO LTD; EMPIRE
CHEMICAL, LLC and PRIVAT
INTERTRADING,

Defendants.
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WHEREAS, Plaintiff, EUROPA MARITIME S.A. ("EUROPA"), commenced this action against Defendant MANGANESE TRANS ATLANTIC CORPORATION ("MTAC", and the Court issued Process of Maritime Attachment and Garnishment ("PMAG") pursuant to Supplemental Rule B directing the restraint of MTAC's property; and

WHEREAS, the PMAG was subsequently served on banking institutions, including, inter alia, garnishee Deutsche Bank ("DB"), and MTAC funds were restrained by DB; and

WHEREAS, on or about November 26, 2008, EUROPA and MTAC entered into a stipulation ("Stipulation") agreeing, inter alia, that EUROPA's claim would continue to be secured to the extent of \$774,500 already attached by DB in New York, the remainder would be released, and service of the PMAG would cease; and

WHEREAS, the Court then vacated the PMAG, and ruled that the parties' Agreement now controlled the funds; and

WHEREAS, the amount of \$774,500 is presently being held by DB, in accordance with the Stipulation; and

WHEREAS, the parties have now reached a settlement of the disputes which the funds held by DB were and are intended to secure;

NOW, THEREFORE, it is hereby ORDERED that the funds that have been and are presently being held by DB be released and remitted to MTAC to the following account;

Lloyds TSB Bank Plc
SWIFT: LOYDGB2L
IBAN Account No. GB14 LOYD 3093 2311 9181 41

Transfer to be labelled "SJM/44417.5"

and

IT IS FURTHER ORDERED, that none of the referenced funds shall be subject to restraint in connection with any other action; and

IT IS FURTHER ORDERED, that upon receipt of the above-referenced funds by MTAC, the parties shall cause this action to be dismissed with prejudice and without costs; and,

IT IS FURTHER ORDERED, that this Stipulation and Order shall be governed by the laws of the State of New York, ~~and that the United States District Court for the Southern District of New York shall have~~

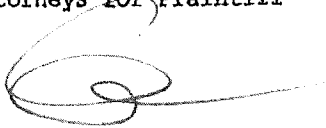
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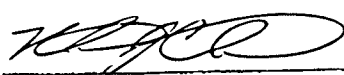
~~exclusive jurisdiction over any and all claims arising out of this
Consent Order.~~

Dated: July 24, 2013
New York, New York


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SO ORDERED:


Deborah A. Batts, USDJ